

**IC 25-8-3****Chapter 3. State Board of Cosmetology Examiners****IC 25-8-3-1****Establishment**

Sec. 1. The state board of cosmetology examiners is established.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-2****Members; appointment**

Sec. 2. The board consists of seven (7) members. The governor shall appoint all the members of the board.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-3****Resident physician as board member**

Sec. 3. One (1) member of the board must:

- (1) reside in Indiana; and
- (2) be a physician as defined by IC 25-22.5-1-1.1(g).

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-4****Resident consumer as board member**

Sec. 4. One (1) member of the board must:

- (1) reside in Indiana; and
- (2) have no association with cosmetology, except as a consumer.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-5****Board membership qualifications**

Sec. 5. (a) Each of the remaining five (5) members of the board must reside in Indiana.

(b) At least three (3) of the members described in subsection (a) must have been licensed cosmetologists practicing in cosmetology salons in Indiana continuously for at least five (5) years before appointment.

(c) Two (2) of the members described in subsection (a) may be owners or operators of cosmetology schools. One (1) of the members described in this subsection must be a licensed cosmetologist. One (1) of the members described in this subsection is not required to be a cosmetologist.

(d) Not more than two (2) members of the board may be:

- (1) owners of;
- (2) operators of;
- (3) members of the board of directors of;
- (4) employees of; or
- (5) contractors with;

a cosmetology school.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991,*

*SEC.6.*

**IC 25-8-3-6**

**Board member political affiliation**

Sec. 6. No more than four (4) members of the board may belong to the same political party.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-7**

**Term of office**

Sec. 7. Each board member serves a term of three (3) years, beginning on the date of appointment and continuing until:

- (1) the member is removed under section 8 of this chapter; or
- (2) a successor is appointed.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-8**

**Removal; grounds**

Sec. 8. The governor may remove a board member for incompetency or failure to perform the member's duties under this chapter.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-9**

**Appointment of successor**

Sec. 9. If a member of the board is removed under section 8 of this chapter, the governor shall appoint a successor to serve for the remainder of the unexpired term.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-10**

**Election of officers**

Sec. 10. The board shall, at its first meeting of each year, elect a president, vice president, and secretary from among its membership. Election of an officer under this section requires a majority vote of all the members of the board.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-11**

**Officers; terms of office**

Sec. 11. The officers elected under section 10 of this chapter have terms of one (1) year, beginning upon election and ending upon the election of a successor.

*As added by P.L.257-1987, SEC.2.*

**IC 25-8-3-12**

**Officers; vacancy**

Sec. 12. If an office described in section 10 of this chapter becomes vacant, the board may fill the vacancy at its next meeting following the vacancy.

*As added by P.L.257-1987, SEC.2.*

### **IC 25-8-3-13**

#### **Quorum**

Sec. 13. The board must have a quorum to transact business. Four (4) members of the board constitute a quorum.

*As added by P.L.257-1987, SEC.2.*

### **IC 25-8-3-14**

#### **Business office**

Sec. 14. The agency shall furnish the board with suitable quarters to conduct its business.

*As added by P.L.257-1987, SEC.2.*

### **IC 25-8-3-15**

#### **Seal**

Sec. 15. The board shall adopt a seal to authenticate its orders and records.

*As added by P.L.257-1987, SEC.2.*

### **IC 25-8-3-16**

#### **Records**

Sec. 16. The agency shall maintain a record of:

- (1) the proceedings of the board;
- (2) each person licensed under this article, stating the:
  - (A) name of the person; and
  - (B) address of the person;
- (3) licenses issued under this article, stating the:
  - (A) number assigned to the license by the agency;
  - (B) date the license was issued; and
  - (C) actions taken by the board concerning the license, including any renewal, suspension, and revocation; and
- (4) applications for a license under this article that were refused.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.7.*

### **IC 25-8-3-17**

#### **Per diem and incurred expenses**

Sec. 17. Each member of the board is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Each member of the board is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

*As added by P.L.257-1987, SEC.2.*

### **IC 25-8-3-18**

#### **Disposition of receipts**

Sec. 18. All money received under this article shall be paid to the agency.

*As added by P.L.257-1987, SEC.2.*

#### **IC 25-8-3-19**

##### **Receipts; deposit**

Sec. 19. The agency shall deposit all money received under this article with the treasurer of state.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.8.*

#### **IC 25-8-3-20**

##### **Repository of receipts**

Sec. 20. The treasurer of state shall deposit the money received under section 19 of this chapter in the state general fund.

*As added by P.L.257-1987, SEC.2. Amended by P.L.1-1990, SEC.250.*

#### **IC 25-8-3-21**

##### **Administration expenses**

Sec. 21. The agency shall pay for the expenses for administering this article from the state general fund under appropriations designated for that purpose.

*As added by P.L.257-1987, SEC.2.*

#### **IC 25-8-3-22**

##### **Implementing rules**

Sec. 22. The board may adopt rules under IC 4-22-2 to implement this article.

*As added by P.L.257-1987, SEC.2.*

#### **IC 25-8-3-23**

##### **Rules prescribing sanitary requirements, establishing standards, and implementing licensing system**

Sec. 23. The board shall adopt rules under IC 4-22-2 to:

- (1) prescribe sanitary requirements for:
  - (A) cosmetology salons;
  - (B) electrology salons;
  - (C) esthetic salons;
  - (D) manicuring salons; and
  - (E) cosmetology schools;
- (2) establish standards for the practice of cosmetology and the operation of:
  - (A) cosmetology salons;
  - (B) electrology salons;
  - (C) esthetic salons;
  - (D) manicuring salons; and
  - (E) cosmetology schools;
- (3) implement the licensing system under this article and provide for a staggered renewal system for licenses; and

- (4) establish requirements for cosmetology school uniforms for students and instructors.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.9.*

#### **IC 25-8-3-24**

##### **Enforcement personnel; compensation**

Sec. 24. The agency shall provide inspectors, investigators, and clerks to enforce this article. The agency shall fix their compensation and reimburse them for their necessary expenses incurred in enforcing this article by payments from the state general fund under appropriations designated for that purpose.

*As added by P.L.257-1987, SEC.2.*

#### **IC 25-8-3-25 Repealed**

*(Repealed by P.L.214-1993, SEC.91.)*

#### **IC 25-8-3-26**

##### **Sanitary requirement rules furnished licensees**

Sec. 26. The board shall furnish each person licensed to operate:

- (1) a cosmetology salon;
- (2) an electrology salon;
- (3) an esthetic salon;
- (4) a manicuring salon; or
- (5) a cosmetology school;

with a copy of the rules concerning sanitary requirements described in section 23(1) of this chapter.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.10.*

#### **IC 25-8-3-27**

##### **Posting sanitary requirement rules in salon or school**

Sec. 27. A person operating:

- (1) a cosmetology salon;
- (2) an electrology salon;
- (3) an esthetic salon;
- (4) a manicuring salon; or
- (5) a cosmetology school;

shall post the rules described in section 26 of this chapter in a conspicuous place in that salon or school.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.11.*

#### **IC 25-8-3-28**

##### **Permissive and mandatory inspections**

Sec. 28. (a) A member of the board or any inspector or investigator may inspect:

- (1) a cosmetology salon;
- (2) an electrology salon;
- (3) an esthetic salon;

(4) a manicuring salon; or  
(5) a cosmetology school;  
during its regular business hours.

(b) A member of the board, an inspector, or an investigator must inspect the salon or school at least once after the applicant applies for a renewal under IC 25-8-4-18 and before the license is renewed.

*As added by P.L.257-1987, SEC.2. Amended by P.L.184-1991, SEC.12.*